



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

MEMORANDUM

JOHN ELIAS BALDACCI

DAVID P. LITTELL

COMMISSIONER

GOVERNOR TO Board of Environmental Protection
FROM Richard Baker, Shoreland Zoning Coordinator
DATE May 1, 2008
SUBJ. Request for Authorization to Initiate Rule-making to Amend State
Imposed Shoreland Zoning Map for the Town of Carthage

STATUTORY AND REGULATORY REFERENCE 38 M R S A , Section 438-A(4)
(Mandatory Shoreland Zoning Act) and Chapter 1000 (State of Maine Guidelines for
Municipal Shoreland Zoning Ordinances).

Section 438-A(4) authorizes the Board of Environmental Protection (Board) to adopt
suitable shoreland zoning ordinances and maps for those municipalities which fail to
adopt an ordinance consistent with or no less restrictive than the Board's Guidelines. The
Board adopted an ordinance and map for the Town of Carthage on April 2, 1994 (Chapter
1292). David Harvey of Timber Meadow, Inc. which owns all of the land surrounding
Podunk Pond in Carthage has petitioned the Board to amend the shoreland zoning map by
rezoning the area from the Resource Protection District to the Limited Residential
District.

LOCATION: The entire shoreland zone surrounding Podunk Pond in Carthage near the
border with the town of Dixfield.

DESCRIPTION: The area's current Resource Protection zoning is due to Podunk Pond's
past use as a water supply for the town of Dixfield. The pond is no longer used as a
water supply and the Town has released to the owner, its rights associated with the water
source. The Pond has no characteristics that require the surrounding shoreland zone to
remain in the Resource Protection District.

ENVIRONMENTAL ISSUES: If the area surrounding the pond is rezoned, single family
residential structures will be allowed no closer than 100 feet from the normal high water
line of the pond. Also, timber harvesting activities will be permitted in compliance with
the timber harvesting standards without the need to obtain a permit from the code
enforcement officer. Because the area surrounding the pond does not meet any of the
criteria for Resource Protection zoning it is appropriate to change the districting to the
Limited Residential District.

DEPARTMENT RECOMMENDATION: Initiate rulemaking activities in order to obtain
public input on the requested rezoning. We request that a 30 day public comment period
be authorized.

ESTIMATED TIME OF PRESENTATION: 5-10 minutes

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7668 FAX (207) 287-7826
RAY BLDG, HOSPITAL ST

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX (207) 760-3143